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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF

**CISCO'S ADMINISTRATIVE MOTION
TO FILE UNDER SEAL CONFIDENTIAL
INFORMATION IN OPPOSITION TO
MOTION TO COMPEL
INTERROGATORY RESPONSES**

DEMAND FOR JURY TRIAL

Pursuant to Civil L.R. 79-5, Plaintiff Cisco Systems, Inc. (“Cisco”) respectfully requests an order granting leave to file under seal the portions of the documents listed below:

Document	Portions to Be Filed Under Seal
Cisco’s Opposition to Arista’s Motion to Compel Interrogatory Responses	As highlighted in the version filed herewith, portions of pages: 3-4, 16.
Exhibit 4 to the Declaration of Matthew D. Cannon in Support of Cisco’s Opposition to Arista’s Motion to Compel	Entire.
Exhibit 5 to the Declaration of Matthew D. Cannon in Support of Cisco’s Opposition to Arista’s Motion to Compel	Entire.
Exhibit 6 to the Declaration of Matthew D. Cannon in Support of Cisco’s Opposition to Arista’s Motion to Compel	Entire.

I. LEGAL STANDARD

In the context of non-dispositive motions, materials may be sealed so long as the party seeking sealing makes a “particularized showing” under the “good cause” standard of Federal Rule of Civil Procedure 26(c). *Kamkana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006) (quoting *Foltz v. State Farm Mutual Auto Insurance Co.*, 331 F.3d 1122, 1138 (9th Cir. 2003)). In addition, Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law”(*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored to seek sealing only of sealable material.” *Id.*

1 **II. ARISTA’S DESIGNATED CONFIDENTIAL INFORMATION**

2 Good cause exists to seal the documents identified herein for the reasons explained in
 3 detail in the Declaration of Matthew D. Cannon in support of this Administrative Motion to File
 4 Under Seal (“Cannon Decl.”). The information sought to be sealed has been directly designated
 5 by Defendant Arista Networks, Inc. (“Arista”) as “HIGHLY CONFIDENTIAL – ATTORNEYS’
 6 EYES ONLY” under the Protective Order (Dkt. 53). Furthermore, Cisco has narrowly tailored its
 7 request to seal only the information which it believes truly merits protection and has articulated
 8 the bases for its request in the Cannon Decl.

9 Cisco expects that Arista will file the required supporting declaration in accordance with
 10 Civil Local Rule 79-5(e), as necessary, to confirm that the information contained in the above
 11 referenced documents should be sealed.

12 **III. CONCLUSION**

13 Concurrently with this Motion, Cisco is filing redacted and highlighted versions of the
 14 above-referenced documents indicating the specific portions Cisco seeks to seal. For the
 15 foregoing reasons, Cisco respectfully requests that the Court grant Cisco’s request.

16
 17 DATED: September 28, 2015

Respectfully submitted,

18 */s/ John M. Neukom*

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